

SENATE BILL 1712

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 4,
relative to goods produced or manufactured within
Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding the following
as a new chapter to be appropriately designated:

4-57-101. The general assembly finds and declares:

(1) The Tenth Amendment of the Constitution of the United States
codifies in law that the only powers which the federal government may exercise
are those that have been delegated to it in the Constitution of the United States;

(2) The Ninth Amendment of the Constitution of the United States
guarantees to the people rights not enumerated in the Constitution and reserves
to the people of Tennessee those rights;

(3) Under Article 1, Section 8, Clause 3 of the Constitution of the United
States, the federal government is empowered to regulate commerce among the
several states; and

(4) The power to regulate intrastate commerce is reserved to the states or
the people under the Ninth and Tenth Amendments to the Constitution of the
United States.

4-57-102. As used in this chapter, unless the context otherwise requires:

(1) "Boundaries of the state" means the territory and boundaries of the
state as set forth in chapter 2 of this title;

(2) "Goods" means all real, personal or mixed property, tangible or intangible. For purposes of this chapter, intangible property includes but shall not be limited to "computer information" and "informational rights" in computer information; and

(3) "Produced" includes grown, mined, extracted, or created.

4-57-103. All goods produced or manufactured, whether commercially or privately, within the boundaries of the state that are held, maintained, or retained within the boundaries of the state shall not be deemed to have traveled in interstate commerce and shall not be subject to federal law, federal regulation, or the authority of the Congress of the United States under its constitutional power to regulate commerce. This chapter shall apply to goods that are manufactured within the state from basic materials or parts. The authority of the Congress of the United States to regulate interstate commerce in basic materials or parts shall not include the authority to regulate goods manufactured within the state from such materials or parts.

4-57-104. This chapter shall not apply to:

(1) Any good manufactured within the state unless the words "Made in Tennessee" are clearly stamped on an integral part; or

(2) Any good produced within the state unless the words "Product of Tennessee" are clearly stamped on the container or packaging of the good.

4-57-105. This chapter shall not apply to any goods:

(1) Ordered, procured, or purchased by the United States government; or

(2) Ordered, procured, or purchased by any contractor pursuant to any agreement with the United States government.

4-57-106. This chapter shall apply to goods held, maintained, or retained within the boundaries of the state that have been produced or manufactured within the boundaries of the state on or after July 1, 2011.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.